

# STIC Search Report Biotech-Chem Library

# STIC Database Tracking Number: 187170

TO: Ralph J Gitomer

Location: REM/3D65/3C18

Art Unit: 1655

Wednesday, April 26, 2006

Case Serial Number: 10/644617

From: Karen Catlin

**Location: Biotech-Chem Library** 

REM-1D58

Phone: 2-2520

Karen.Catlin@uspto.gov

## Search Notes

#### Examiner Gitomer,

The results of the litigation search you requested for US Patent No. 6,171,849 are attached. The Patents file, Federal Courts and Administrative Materials file, Patent, Trademark and Copyright Periodicals file, and All News file were searched using Lexis. The Patent files in Questel-Orbit were also searched. LexisNexis CourtLink system search resulted in two dockets found (also attached).

If you have any questions about this search feel free to contact me.

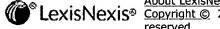
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Karen Catlin Reference Librarian (ASRC Aerospace) STIC Biotech/Chem Library 2-2520



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Time of Request: April 26, 2006 08:10 AM EDT

Number of Lines: 35

Job Number: 1861:95870008

'Client ID/Project Name: Gitomer

Research Information:

Utility, Design and Plant Patents patno=6171849

Send to: CATLIN, KAREN

USPTO

600 DULANY ST

ALEXANDRIA, VA 22314-5782

#### 1 of 1 DOCUMENT

#### UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

#### 6171849

#### Link to Claims Section

January 9, 2001

Method for the determination of HDL cholesterol by means of a rapid diagnostic agent with an integrated fractionating step

REISSUE: August 20, 2003 - Reissue Application filed Ex. Gp.: 1744; Re. S.N. 10/644,617 (O.G. November 11, 2003)

INVENTOR: Rittersdorf, Walter - Mannheim, Germany (DE); Deneke, Ulfert - Rimbach-Zotzenbach, Germany (DE); Hiller, Gerhard - Mannheim, Germany (DE); Merdes, Hartmut - Heidelberg, Germany (DE); Buecker, Klaus - Viernheim, Germany (DE); Goebbert, Uwe - Mannheim, Germany (DE)

**CERT-CORRECTION:** October 23, 2001 - a Certificate of Correction was issued for this patent (O.G. October 23, 2001)

APPL-NO: 481664 (09)

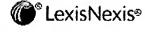
FILED-DATE: January 12, 2000

**GRANTED-DATE:** January 9, 2001

ASSIGNEE-AT-ISSUE: Roche Diagnostics GmbH, Mannheim, Germany (DE), 03

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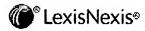
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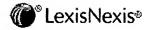
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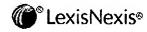
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QUESTEL Query/Command : file pluspat Selected file: PLUSPAT Query/Command: 6171849/pn Query/Command : PRT SS 1 MAX 1 LEGALALL 1 / 3 PLUSPAT - @QUESTEL-ORBIT Patent Number : XP006171849 A 0 [XP6171849] Application Nbr : XP006171849 0 EPO Dutch Class : 123XP Publication Stage : (A) Selected Articles in EPO Update Code : 2001-50 Query/Command : file fampat Selected file: FAMPAT Query/Command: 6171849/pn Query/Command : PRT SS 1 MAX 1-3 LEGALALL 2 / 3 FAMPAT - @QUESTEL-ORBIT - image Family Accession Nbr : 20042762931900 Patent Number : US6171849 B1 20010109 [US6171849] Title : Method for the determination of HDL cholesterol by means of a rapid diagnostic agent with an integrated fractionating step Patent Assignee : ROCHE DIAGNOSTICS GMBH Orig. Patent Assignee : Roche Diagnostics GmbH, Mannheim [DE] Inventor(s):

Method for the determination of HDL cholesterol by means of a rapid diagnostic agent with an integrated fractionating step

Patent Assignee:
 ROCHE DIAGNOSTICS GMBH

Orig. Patent Assignee:
 Roche Diagnostics GmbH, Mannheim [DE]

Inventor(s):
 BUECKER KLAUS; DENEKE ULFERT; GOEBBERT UWE; HILLER GERHARD; MERDES HARTMUT; RITTERSDORF WALTER

Application Nbr:
 2000US-0481664 20000112

Filing Details:
 (US6171849)
 Divsn of US114361 19980714 [1998US-0114361]
 Cont. of US661833 19960611 [1996US-0661833]
 Continuation of: US5786164

Priority Details:
 1989DE-3929032 19890901; 1996US-0661833 19960611; 1998US-0114361
 19980714; 2000US-0481664 20000112

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1 / 1 LGST - ©EPO
Patent Number :
 US6171849 B1 20010109 [US6171849]
Application Number :
 US48166400 20000112 [2000US-0481664]
Action Taken :
 20011023 US/CC-A
 CERTIFICATE OF CORRECTION
 20031111 US/RF-A
 REISSUE APPLICATION FILED
 EFFECTIVE DATE: 20030820
Update Code :
 2003-48
1 / 1 CRXX - @CLAIMS/RRX
Patent Number :
 6,171,849 A 20010109 [US6171849]
Patent Assignee :
 Roche Diagnostics GmbH DE
Actions :
 20030820 REISSUE REQUESTED
 ISSUE DATE OF O.G.: 20031111
 REISSUE REQUEST NUMBER: 10/644617
 EXAMINATION GROUP RESPONSIBLE FOR REISSUEPROCESS: 1744
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| 区   | Roche Diagnostics Corporation et al v. Polymer Technology Systems,<br>Inc | US-DIS-INSD | 1:03cv848     | 6/9/200 |
| v   | Roche Diagnostics Corporation et al v. Cholestech Corporation             | US-DIS-INSD | 1:03cv303     | 3/3/200 |

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#### **US District Court Civil Docket**

# U.S. District - Indiana Southern (Indianapolis)

#### 1:03cv303

#### Roche Diagnostics Corporation et al v. Cholestech Corporation

This case was retrieved from the court on Wednesday, April 26, 2006

Date Filed: 03/03/2003

Class Code: CLOSED, CMP

Assigned To: Judge Larry J McKinney

**Cause: Patent Infringement** 

Closed: Yes

Referred To: Magistrate Judge William T Lawrence

Statute: 35:271

Jury Demand: Defendant

Nature of suit: Patent (830)

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Demand Amount: \$0

Lead Docket: None

NOS Description: Patent

Other Docket: None

el Dockett Holle

Jurisdiction: Federal Question

Litigants 🦸

**Attorneys** 

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Cholestech Corporation

Other

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Email: Jrschaib@bakerd.com

Date

#

#### **Proceeding Text**

03/03/2003

COMPLAINT against CHOLESTECH CORPORATION, filed by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C)(Kittell, Mike) (Entered: 03/04/2003)

| 03/03/2003 | 2  | RECEIPT #107 466 in the amount of \$ 150.00 (Kittell, Mike) (Entered: 03/04/2003)   |
|------------|----|---|
| 03/03/2003 | 3  | CIVIL COVER SHEET by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. (Kittell, Mike) (Entered: 03/04/2003)   |
| 03/03/2003 | 4  | MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction (Kittell, Mike) (Entered: 03/04/2003)  |
| 06/24/2003 | 5  | Summons Issued as to Deft CHOLESTECH CORPORATION. (YOL, ) (Entered: 06/25/2003)   |
| 06/26/2003 | 6  | Summons Issued as to CHOLESTECH CORPORATION. (EAH, ) Additional attachment(s) added on 7/1/2003 (EAH, ). (Entered: 06/30/2003)  |
| 07/01/2003 | 7  | NOTICE of Appearance by Stacy L. Prall on behalf of ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH (Prall, Stacy) (Entered: 07/01/2003)  |
| 07/01/2003 | 8  | NOTICE by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH of Appearance of Brent Allen Harris (Prall, Stacy) (Entered: 07/01/2003)  |
| 07/01/2003 | 9  | RETURN of Personal Service by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. CHOLESTECH CORPORATION served on 6/30/2003. (Prall, Stacy) (Entered: 07/01/2003)   |
| 07/01/2003 | 10 | CORPORATE DISCLOSURE STATEMENT by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. (Prall, Stacy) (Entered: 07/01/2003)   |
| 07/03/2003 | 11 | NOTICE of Manual Filing by all Plaintiffs. (Schaibley, John) Modified on 7/3/2003 (Carpentier, Wendy). (Entered: 07/03/2003)  |
| 07/03/2003 | 12 | MOTION for leave to appear pro hac vice. c/s by Pltfs ROCHE DIAGNOSTICS CORPORATION and ROCHE DIAGNOSTICS GMBH. (Attachments: # 1 Text of Proposed Order)(YOL, ) (Entered: 07/09/2003)  |
| 07/03/2003 | 13 | RECEIPT #101-745 in the amount of \$ 90.00 for pro hac vice motion.12 (YOL, ) (Entered: $07/09/2003$ )  |
| 07/16/2003 | 14 | ORDER granting 12 Motion for Daniel A. Boehnen, Grantland C. Drutchas and James C. Gumina Leave to Appear Pro Hac Vice. Signed by Judge William T. Lawrence on 7/16/03. (JHO, ) (Entered: 07/16/2003)   |
| 07/21/2003 | 15 | NOTICE of Appearance by Joel E. Tragesser on behalf of CHOLESTECH CORPORATION (Tragesser, Joel) (Entered: 07/21/2003)   |
| 07/21/2003 | 16 | ANSWER to Complaint with Jury Demand, COUNTERCLAIM against all plaintiffs by CHOLESTECH CORPORATION.(Tragesser, Joel) (Entered: 07/21/2003)   |
| 07/21/2003 | 17 | CORPORATE DISCLOSURE STATEMENT by CHOLESTECH CORPORATION. (Tragesser, Joel) (Entered: 07/21/2003)   |
| 07/21/2003 | 18 | NOTICE of Appearance by James Dimos on behalf of CHOLESTECH CORPORATION (Dimos, James) (Entered: 07/21/2003)  |
| 07/22/2003 | 19 | SCHEDULING ORDER: Initial Pretrial Conference set for 8/19/2003 08:30 AM in room #277 before Judge William T. Lawrence. The parties shall file the CMP no less than seven days prior to the pretrial conference. Signed by Judge William T. Lawrence on 07/22/2002. c/m WTL (TMA) (Entered: 07/22/2003) |
| 07/23/2003 | 20 | MOTION to Appear pro hac vice (Michael A. Ladra) by CHOLESTECH CORPORATION. (Attachments: # 1 Text of Proposed Order)(Tragesser, Joel) (Entered: 07/23/2003)  |
| 07/23/2003 | 21 | MOTION to Appear pro hac vice (Irwin R. Gross) by CHOLESTECH CORPORATION. (Attachments: # 1 Text of Proposed Order)(Tragesser, Joel) (Entered: 07/23/2003)  |
| 07/23/2003 | 22 | MOTION to Appear pro hac vice (Roger J. Chin) by CHOLESTECH CORPORATION. (Attachments: # 1 Text of Proposed Order)(Tragesser, Joel) (Entered: 07/23/2003)   |
| 07/24/2003 | 23 | RECEIPT #107-845 in the amount of \$ 90.00 for motions to admit pro hac vice of Michael Ladra, Irwin Gross, Roger Chin. (YOL, ) (Entered: 07/25/2003)   |
| 07/25/2003 | 24 | ORDER granting 20 Motion for Limited Admission for Michael A. Ladra of the law firm Wilson Sonsini Goodrich & Rosati on behalf of Cholestech Corporation. Signed by Judge William Lawrence on 7/25/03 -cm. (EAH, ) . (Entered: 07/28/2003)  |

| 07/25/2003 | 25 | ORDER granting 21 Motion for Limited Admission for Irwin R. Gross of the law firm Wilson Sonsini Goodrich & Rosati on behalf of Cholestech Corporation. Signed by Judge William T. Lawrence on 7/25/03 -cm. (EAH, ) (Entered: 07/28/2003)  |
|------------|----|--|
| 07/25/2003 | 26 | ORDER granting 22 Motion for Limited Admission for Roger J. Chin of the law firm Wilson Sonsini Goodrich & Rosati on behalf of Cholestech Corporation. Signed by Judge William T. Lawrence on 7/25/03 -cm. (EAH, ) (Entered: 07/28/2003)   |
| 08/07/2003 | 27 | NOTICE by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH of Appearance of Daniel A. Boehnen, Grantland C. Drutchas and James C. Gumina on their behalf (Schaibley, John) (Entered: 08/07/2003)  |
| 08/08/2003 | 28 | ANSWER to Counterclaim by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH.(Schaibley, John) (Entered: 08/08/2003)  |
| 08/11/2003 | 29 | CASE MANAGEMENT PLAN TENDERED by all parties. (Tragesser, Joel) (Entered: 08/11/2003)  |
| 08/20/2003 | 30 | ENTRY FOR 8/19/03: Parties appear by counsel for pretrial conference. Conference held and concluded without further order. Parties shall file Amended CMP within 7 days. Signed by Judge William T. Lawrence on 8/19/03. c/m(JHO) (Entered: 08/20/2003)  |
| 08/28/2003 | 31 | Submission (Joint) of Amended Proposed Case Management Plan by CHOLESTECH CORPORATION, ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. (Attachments: # 1 (Proposed) Amended Joint Case Management Plan)(Tragesser, Joel) (Entered: 08/28/2003)  |
| 08/29/2003 | 32 | SCHEDULING ORDER: Settlement Conference set for 11/14/2003 09:00 AM in room #277 before Judge William T. Lawrence. Signed by Judge William T. Lawrence on 08/29/2003. c/m WTL (TMA) (Entered: 09/02/2003)  |
| 09/05/2003 | 33 | ORDER: AMENDED JOINT CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. Signed by Judge William T. Lawrence on 09/05/2003. c/m WTL (TMA) (Entered: 09/05/2003)  |
| 09/30/2003 | 34 | NOTICE of Service of Initial Disclosures by CHOLESTECH CORPORATION (Tragesser, Joel) (Entered: 09/30/2003)   |
| 09/30/2003 | 35 | NOTICE by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH of Service of Rule 26(a)(1) Initial Disclosures (Prall, Stacy) (Entered: 09/30/2003)   |
| 11/17/2003 | 36 | ENTRY - Parties appear in person and by counsel for settlement conference on 11/14/03. Conference held and successfully concluded. The Court has been advised that a settlement has been reached. Therefore, all pending motions, if any, are DENIED AS MOOT, and all previously ordered dates, if any, are VACATED. Within 30 days of this date, counsel for plaintiff shall file a motion to dismiss or stipulation of dismissal. Signed by Judge William T. Lawrence on 11/17/2003. c/m WTL (TMA) (Entered: 11/18/2003) |
| 12/17/2003 | 37 | ENTRY - The time in which the parties have to file a motion to dismiss or stipulation of dismissal is extended to 12/29/03. Signed by Judge William T. Lawrence on 12/17/2003. c/m WTL (TMA, ) (Entered: 12/17/2003)   |
| 12/31/2003 | 38 | FINAL JUDGMENT. cm Signed by Judge Larry J. McKinney on 12/31/03. (YOL, ) (Entered: 12/31/2003)  |
|            |    |  |

#### US District Court Civil Docket

#### U.S. District - Indiana Southern (Indianapolis)

#### 1:03cv848

#### Roche Diagnostics Corporation et al v. Polymer Technology Systems, Inc

This case was retrieved from the court on Wednesday, April 26, 2006

Date Filed: 06/09/2003

Class Code: CLOSED

Assigned To: Judge Larry J McKinney

Closed: Yes

Referred To: Magistrate Judge William T Lawrence

Statute: 35:271

Nature of suit: Patent (830)

Jury Demand: None

Cause: Patent Infringement

Demand Amount: \$0

Lead Docket: None

NOS Description: Patent

Other Docket: None

Jurisdiction: Federal Question

#### Litigants

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Polymer Technology Systems, Inc. Defendant

#### Date # Proceeding Text 06/09/2003 COMPLAINT against POLYMER TECHNOLOGY SYSTEMS, INC. , filed by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(Kittell, Mike) (Entered: 06/10/2003) 06/09/2003 2 CIVIL COVER SHEET by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH. (Kittell, Mike) (Entered: 06/10/2003) MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction (Kittell, Mike) (Entered: 06/09/2003 3 06/10/2003) 06/09/2003 4 MAGISTRATE JUDGE'S Summary of CMP Notice (Kittell, Mike) (Entered: 06/10/2003) 06/09/2003 5 RECEIPT #107 647 in the amount of \$ 150.00 (Kittell, Mike) (Entered: 06/10/2003)

| 06/09/2003 | 6  | NOTICE OF RELATED CASE 1:03-CV-303-LJM-WTL by ROCHE DIAGNOSTICS CORPORATION, ROCHE DIAGNOSTICS GMBH (Kittell, Mike) (Entered: 06/10/2003)  |
|------------|----|--|
| 06/11/2003 |    | Judge Larry J. McKinney added. Judge John Daniel Tinder no longer assigned to case. (EAH, ) (Entered: $06/11/2003$ )   |
| 10/01/2003 | 7  | Summons Issued as to POLYMER TECHNOLOGY SYSTEMS, INC. (EAH, ) (Entered: 10/02/2003)  |
| 10/07/2003 | 8  | AFFIDAVIT of Service for Summons and Complaint served on Polymer Technology Systems, Inc., c/o Robert S. Huffstodt on 10/6/03, filed by Pltf ROCHE DIAGNOSTICS CORPORATION. (YOL, ) (Entered: 10/09/2003)  |
| 10/22/2003 | 9  | NOTICE of lack of objection to enlargement of time to respond to complaint. c/s Deft POLYMER TECHNOLOGY SYSTEMS, INC. (YOL, ) (Entered: 10/23/2003)  |
| 11/25/2003 | 10 | JOINT MOTION for Extension of Time to respond to complaint. All Parties(YOL, ) (Entered: 11/25/2003)   |
| 11/26/2003 | 11 | ORDER granting 10 joint Motion for Extension of Time, thru 12/29/03, for defendant to respond to complaint. Signed by Judge William T. Lawrence on 11/26/2003. c/m WTL (TMA) (Entered: 12/01/2003)   |
| 12/24/2003 | 12 | NOTICE of Appearance by attorney Michael D. Beck on behalf of POLYMER TECHNOLOGY SYSTEMS, INC. (LSC, ) (Entered: 12/24/2003)   |
| 12/29/2003 | 13 | CLOSED JUDGMENT by a settlement agreement. All other claims, counterclaims, defenses and requests for relief of any kind, or by any party pertaining to the causes of action in this case are hereby dismissed with prejudice. Each party shall pay its own costs, expenses and attorney fees. Signed by Judge John Daniel Tinder on 12/29/03 -cm. (EAH, ) (Entered: 12/29/2003) |